

BOARD OF SELECTMEN
MINUTES
SEPTEMBER 11, 2006

Pursuant to notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held at 7:30 p.m. in the Selectmen's Room.

Present were Virginia McIntyre, Chair; Anne D. Shapiro; Margaret B. Briggs; Gregory P. Howes; and Philip Benincasa, Clerk. Also present was Christopher Whelan, Town Manager.

CONSENT AGENDA:

Consent Agenda

- Town Accountant's Warrants
- Minutes: July 24, 2006
- Gift Acceptance: Marshall Roofing & Sheet Metal Co., Inc \$3,450 to the Concord Open Golf Tournament.
- Bruce and Phyllis Maurer, \$2,000 to the Concord Open Golf Tournament
- Welch's, \$5,000 to the Concord Open Golf Tournament

On a motion duly made and seconded, it was unanimously:

VOTED: To approve the consent agenda.

EXECUTIVE SESSION MINUTES

Exec Minutes

On a motion duly made and seconded, it was

VOTED: to approve ES #1 June 7, 2006 to be released (aye-3; no-Briggs who was not present)

On a motion duly made and seconded, it was unanimously:

VOTED: to approve ES #1 July 24, 2006; ES #2 July 24, 2006 to be released.

TOWN MANAGER'S REPORT:

TM Report

1. The Finance Director has announced that MSBA has completed the audit of Alcott Phase I construction and has notified the Town that Concord will receive \$400,000 more reimbursement than anticipated. This is because the short term borrowing costs were also covered.
2. Bill Edgerton, the Public Works Director in Concord for the past nine years has retired. Mr. Whelan commended Bill for the strong status in which he is leaving department planning and projects. Alan Cathcart Water and Sewer Superintendent will be Acting Public Works Director until a new Director is hired within the next few weeks.
3. Paving on Route 62 was successfully completed before the start of school. Keyes Road paving and the installation of a Cambridge Turnpike water line will be completed in September.
4. Warners Pond bids were opened in August and were substantially higher than projected. It is the opinion of staff that not enough time was provided for the project to be done which would have increased the risk of non-completion for contractors. The project will be re-bid this winter after checking the design and schedule.
5. Emerson tennis and basketball courts are being reconstructed and should be completed in September.
6. Opening ceremonies for the new Thoreau School are scheduled for September 17th from 2 to 4 PM. All are welcome.

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7. Alcott Phase II project is going according to schedule. It should be mostly completed by the end of this season, with only loaming and seeding to be done in the spring.
8. The Concord Housing Trust closing on the 129 Old Bedford Road parcel has been delayed until October 5th. The Board of Selectmen has already approved the easement.
9. Concord Housing Corporation legislation has passed after seven years of effort. This allows innovative use of housing funds for vouchers and mortgage by-downs. In addition, the Senior Tax Relief package was adopted by the Legislature. It is a local option that Town Meeting may vote to offer to local residents.

The Tax Relief legislation is somewhat different from the Home Rule petition submitted to the Legislature in that it both means and age determined, increases some of the income limits, and enables people to defer up to 5% of an average assessment.

COMMITTEE LIAISON REPORTS

Philip Benincasa reported that the Tourism Committee is coming together after a period of struggle. He anticipates a report soon.

The Agriculture Committee has planned a farming day on the Milldam on September 30th. The Milldam will be closed to vehicular traffic while 12-14 farmers set up to sell products and offer activities that highlight Concord's agriculture base. The police department has been notified as have local merchants.

The Willard School Building Committee has begun meeting and struggling with the process of designing the construction of a new building. It may prove difficult to be prepared for 2007 Town Meeting Warrant Article asking for construction funds. A Major difficulty is interpreting the requirements of MSBA which has not yet finalized its regulations. The Committee does not intend to do anything that might preclude reimbursement for construction. As long as there is the possibility of reimbursement, the Committee intends to meet the pace and requirements of MSBA which intends to be a partner in school construction decisions.

The Board discussed committee progress; the earlier MSBA meeting attended by Ms. McIntyre and Mr. Whelan; the possibility for reimbursement at Thoreau School, making all reasonable attempts to reduce the tax burden from future school construction while building a quality school; the possibility of a Special Town Meeting to consider school construction should the committee find that it cannot move at a pace that would enable action at annual Town Meeting; and completing the Statement of Interest as the first step in the process.

CITIZEN COMMENT

Susan Bates, Finance Committee Chair, asked how long the Willard SBC will need to wait for a response to the Statement of Interest from MSBA before beginning the building process or whether the Committee was proceeding independently upon the steps that are needed for successful completion. Mr. Benincasa stated that there is no waiting. The process begins with the Statement of Interest being approved by the Board of Selectmen. Meanwhile, the Request for Proposals for Project Manager and Architect are developed and released for bidding; respondents are interviewed and selected; and community meetings are designed to listen to the many stakeholders' opinions.

Liaison Reports

Citizen Comment

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Beau Ryan of 44 Laurel St. presented a petition to the Board that seeks to make permanent the temporary Walden Street driveway to Alcott School. In his opinion, the potential danger to children from the congested entrance on Laurel St. is greater than any harmful impact to the Town's drinking water that might occur from vehicular use of water department land. Ms. Briggs stated that the decision about the temporary driveway was made five years ago as part of approvals required for the construction of the school. In the meantime, the Thoreau School has opened and the population at the Alcott site is reduced to its typical size. Ms. McIntyre stated that this would be discussed at a later agenda when the board could have the input of the water department, planning department, and Natural Resources Commission.

Phil Lawrence of 725 Strawberry Hill Road presented a letter to the Board seeking a safety and traffic study of the southern portion of Strawberry Hill Road neighborhood. He stated that there are a number of new developments— housing, daycare, and school expansion — being planned for the area and none should be considered in isolation. In his opinion, the new developments should be asked to respond to the traffic and safety issues and avoid problems that are expensive to correct.

REPORT OF RECREATION DEPARTMENT GOLF TOURNAMENT — John Fossett,
Recreation Commission Chair

John Fossett, Chair of the Recreation Commission, reported on the 5th Annual Concord Open Golf Tournament which was designed specifically to fund scholarships to summer camp. Mr. Fossett stated that this year the net proceeds of \$37,000 from the fully subscribed tournament are sufficient to benefit 74 children from 68 families without any tax impact on the residents of Concord.

The Recreation Commission appreciates the many business and individual sponsors of the event, particularly the lead sponsors for the tournament, Guy and Jim DiGiovanni, who have been instrumental in the tournaments' success each year. In addition, Recreation staff and Commission members have given their time and energy to ensure a successful event.

The Board congratulated Mr. Fossett on the success of the program that benefits children. Mr. Benincasa stated that as Alcott School Principal, he could always count on the Recreation Department to find a way to include children in quality activities whose families might not otherwise afford the opportunities.

MAYOR LEVEILLE OF FOND DES BLANCS, HAITI

Ms. McIntyre introduced Mr. Briel Leveille the Mayor of Fond des Blancs, Haiti. Mr. Leveille has been Mayor of his community since 1988 and has been an advocate for democracy and human rights. He is a founder of the St. Boniface Hospital in his village, which is supported by Holy Family Parish, and coordinates a cooperative. Mr. Leveille will speak at CCHS at 7PM September 12th. The Board thanked Mr. Leveille for the honor of his visit and commended him on the important work he is doing for his people. The Board thanked Mr. Conor Shapiro for assisting and translating for Mr. Leveille.

CPA PRIORITIES DISCUSSION AND VOTE

The Board continued its discussion on what it should recommend to the Community Preservation Act Committee for funding in 2007. \$2.9MM is anticipated to be available to address housing, open space, historic preservation and recreation needs. By law, 10% must be reserved for each of housing, open space including recreation, and historic preservation. The Board will decide where its wants to direct funds and how much to allocate to its priorities.

Golf Tournament

Mayor of Fond des
Blancs, Haiti

CPA priorities vote

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Prior discussion had been focused on the playing fields proposal. Ms. McIntyre stated that her intention is to focus on the larger picture and not the detail of the location or composition of fields. The Town Manager will be responsible to develop the plan that implements the Board's recommendation and work with private parties on project fundraising.

Ms. Briggs stated that the Community Preservation Act Committee has stated its preference to reserve a substantial amount of available funds so as to be able to respond to housing and open space opportunities. The focus on community multi-purpose fields responds to the stated goals of the Long Range Plan, the Playing Fields Study Committee and the Community Preservation Committee. In her opinion, the important question is how much should be allocated from CPA funds, re-allocated from CIP funds, and raised from private donations in order to implement a playing fields plan that meets the needs of the community.

Ms. McIntyre stated that in setting priorities, it is important to understand the impact on Town projects. Town Manager Chris Whelan reported that he has identified a need for \$200,000 to \$300,000 in funds for land in the out years of the CPC plan. In the meantime, he proposes to defer HVAC projects and the tot lots at both Rideout and Emerson playgrounds.

Mr. Benincasa stated that fields are the top priority, followed by an allocation to land purchases. He also wishes to see funds directed to preservation of the West Concord Depot, although private funds could accomplish that goal.

Mr. Howes stated that after the automatic allowance of 10% each for housing, open space, and historic preservation, the balance of the funds should be directed to an area that meets long term goals as stated in the Long Range Plan. That means there are up to \$1.7MM available. He expects that there will be an opportunity to leverage public funds with private contributions. His preference is to direct the bulk of the funds to fields, then housing and agricultural land. Mr. Howes stated that \$200,000 of CPA funds was allocated to land in the previous year, and that the automatic allocation this year for housing and open space would be \$300,000.

Ms. McIntyre stated that the Town's Recreation infrastructure has been created through a public-private partnership that has depended upon private funding. In her opinion, the priority should be \$1MM for fields and \$1MM for land acquisition for a variety of purposes that do not include conservation. She understands the notion is to have funds available and ready should a parcel, such as agricultural land become available. She would defer the Depot at this time as it is not yet ready.

Regarding fields, Ms. Briggs stated that this is only one year of a plan costing \$6MM. The plan seeks \$1.3MM of private contributions as well as \$2MM of CPA funds and the remainder from the Town's Capital Improvement Plan. If there is a shortfall the plan can be scaled back or turf fields can be deferred. However, the plans as currently stated will require more study and detail. She endorses progress on the fields.

Upon a Motion duly made and Seconded, it was

VOTED: to recommend to the Community Preservation Act Committee the allocation of \$1.5 million for the first year of the playing fields initiative and to ask the Town Manager to develop a plan that assumes supplementing this amount with funds from CIP and private donations. Further, that the Town Manager solicit a full list of projects from staff for the balance of expenditures. (Yes – 3; No-Howes).

Mr. Howes noted that he wanted more money allocated to the project.

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Ms. Briggs noted that the Town Manager would revise the CIP to show the effect on capital projects, the primary one being the fire station. This is an important step to show a plan that will fit the resources available.

Anne Shapiro arrived at 9:10PM

The proposal assumes funding would be within the levy limit. There was some discussion about the prospects of CPA Committee support should the entire CPA budget be sought for fields. The consensus was that this would not likely get support at Town Meeting. The School Committee has voted its support for the creation of playing fields on the regional high school property. It has also been determined that fields can be built on town-owned land that has not been purchased with Community Preservation Act funds.

HERITAGE LANDSCAPE PLAN

After discussion, the Board agreed that the report showed a fair amount of work but did not represent Concord issues precisely. For instance, Concord has not supported scenic roads proposals at Town Meeting. It is important that the Historical Commission is aware of the report and the added work that it will mean.

Heritage Landscape

CPA 2007 PLAN

The Community Preservation Act Committee has indicated its preference for putting a large portion of CPA funds into a land fund to enable the Town to respond to unanticipated opportunities. This approach does not reserve funds for many small projects.

CPA 2007 Plan

Lois Siegelman of Bristers Hill road stated that her neighborhood was looking for information of the location of the proposed fields at the high school. In her opinion, the Community Preservation Act Committee direction is in conflict with the Long Range Plan and Open Space Reports. Therefore the neighborhood is seeking legal advice.

STRAWBERRY HILL ROAD RFP UPDATE

Greg Howes reported that the review panel had developed questions and met with both proposers. There has not been a vote yet, but panel expects to report to the Board in two weeks. He expressed his appreciation for the work of the committee and the neighborhood.

Strawberry Hill Rd.

Peggy Lawrence of Strawberry Hill Road stated that there are a number of issues for the neighborhood, foremost the access road. The neighborhood would prefer that the new housing make use of the Housing Authority parcel so that an additional access road is precluded. The traffic on Strawberry Hill is increasing with back-ups from Barretts Mill Road common.

Ann Colony of Strawberry Hill Road asked about the procedure of the selection. Can there be changes made to the accepted plan? For instance, if the bid assumes a certain number of units and the driveway lessens that number, then what? It was stated that the proposer would be selected and a contract negotiated. Ancillary items such as the driveway may change, but the use of the ridge is a material part of the bid. The plan would go to the Planning Board and Zoning Board of Appeals for a special permit and site plan approval. At this stage the access would be worked out.

CITIZEN COMMENT:

Citizen comment

1. Candace Wight of Laws Brook Road stated that a portion of Community Preservation Act funds would buy parking for recreation. There may be larger needs for open space, such as farm land. Will the Town depend upon private contributions for conservation?

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MISCELLANEOUS

Ms. McIntyre asked whether a Board Member would take responsibility for Liaising with the Suburban Coalition, a group that lobbies on behalf of similar towns.

Upon a motion duly made and seconded, it was unanimously:

VOTED: to appoint Anne Shapiro Concord's Representative to the Suburban Coalition.

Members were reminded of the posted meeting on September 12 at 8AM to discuss the Economic Development initiative.

Ms. Briggs commented on the success of the West Concord Family Festival. The parade was great, the crowds large and enthusiastic, and the food tremendous. At one point in the parade a wreath was laid to honor fire fighters of NY.

COMMITTEE APPOINTMENTS:

On a motion duly made and seconded, it was unanimously:

VOTED: To appoint Julie Melbin, of 210 Stone Root Lane to the White Pond Advisory Committee, term to expire May 31, 2009.

On a motion duly made and seconded, it was:

VOTED: To adjourn the Open Session and conclude business for the evening.

Virginia McIntyre	Aye
Margaret B. Briggs	Aye
Anne D. Shapiro	Aye
Philip H. Benincasa	Aye
Gregory P. Howes	Aye

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Philip H. Benincasa, Clerk

Misc.

Comm.

Appointment